

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 5-6, 15, 25, and 55 are cancelled. Claims 1-4, and 7-14, 16-24, 26-54, and 56-69 remain in this application and, as amended herein, are submitted for the Examiner's reconsideration.

Claims 16-17, 21, 26-28, 36-37, 56-57, and 67-68 have been amended solely to provide proper antecedence and to have the claims better conform to the requirements of U.S. practice. None of these amendments is intended to narrow the scope of any of these claims, and no new matter has been added by these amendments.

In the Office Action, claims 1-4, 7-16, 21-27, 36-55, and 67-69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cooper (U.S. Patent No. 6,754,904) in view of Zenith (U.S. Patent No. 6,519,771) and further in view of Abecassis (U.S. Patent No. 5,610,650) and Vong (U.S. Patent No. 6,918,317). Claims 15, 25, and 55 are cancelled. Applicant submits that the remaining claims are patentably distinguishable over the cited references.

As amended herein, claim 1 recites:

a selection unit operable to receive from a first user a selection of a desired one of the plurality of icon buttons for transmission of its associated icon to another client device connected to the server, the selected one of the plurality of icon buttons being an invitation icon button, and the icon associated with the selected one of the plurality of icon buttons including a message asking the user of the another client device to watch the selected content; and

a transmitter operable to transmit a request to the server, the request including a command that the server transmit the icon associated with the selected one of the plurality of icon buttons to the another client device and including a respective one of the plurality of icon identification data sets that corresponds to the icon associated with the selected one of the plurality of icon buttons so that the

server transmits a further command to the another client device to execute the icon associated with the selected one of the plurality of icon buttons, the further command including the respective one of the plurality of icon identification data sets.

(Emphasis added.) Neither the relied on sections of Cooper, the relied on sections of Zenith, the relied on sections of Abecassis, nor the relied on sections of Vong disclose or suggest a user selection of an invitation icon button. Moreover, neither the relied on sections of Cooper, the relied on sections of Zenith, the relied on sections of Abecassis, nor the relied on sections of Vong disclose or suggest a message asking a user of another client device to watch selected content, neither the relied on sections of Cooper, the relied on sections of Zenith, the relied on sections of Abecassis, nor the relied on sections of Vong disclose or suggest an icon including a message asking a user of another client device to watch selected content, and neither the relied on sections of Cooper, the relied on sections of Zenith, the relied on sections of Abecassis, nor the relied on sections of Vong disclose or suggest transmitting a request including a command to transmit an icon including a message asking a user of another client device to watch selected content.

The Examiner contends that "it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Vong into the system of Cooper as modified by Zenith and Abecassis to visually communicate messages to the user and in addition to draw the attention of the user to interact to these visual changes." However, the relied on sections of Cooper merely describe a set-top box display that displays as a link the TV show or network currently being watched by each member of a buddy list so that the same show or network can be selected for display by the set-top box. (See Fig. 11 and col.7 11.4-13.) When a given member of the

buddy list changes channels, the displayed buddy list is updated. (See Figs. 12-14, col.6 ll.58-60, and col.7 ll.21-46.) Namely, the relied on sections of the reference describe that a channel change by the given member of the buddy list only results in an update of the displayed buddy list. Though the channel change by the given member is provided to the other members of the buddy list by the update of the displayed buddy list, the given member does not select an invitation icon button, and the set-top box does not transmit a message asking other members of the buddy list to watch the changed-to channel, the set-top box does not transmit a request including a command to transmit such a message, and does not transmit a request including a command to transmit an icon including such a message.

Neither the relied on sections of Zenith, the relied on sections of Abecassis, nor the relied on sections of Vong remedy the above deficiencies of the relied on sections of Cooper and Zenith.

It follows, for at least the above reasons, that neither the relied-on sections of Cooper, the relied-on sections of Zenith, the relied-on sections of Abecassis, nor the relied-on sections of Vong, whether taken alone or in combination, disclose or suggest the client device set out in claim 1, and therefore claim 1 is patentably distinct and unobvious over the cited references.

Independent claim 24 and independent claim 50 each include features similar to those set out in the above excerpt of claim 1. Therefore, for at least the same reasons, claims 24 and 50 are each patentably distinct and unobvious over relied-on sections of Cooper, Zenith, Abecassis, and Vong.

Claims 2-4, 7-14, 16, and 21-23 depend from claim 1, claims 26-27 and 36-49 depend from claim 24, and claims 51-54, 56 and 67-69 depend from claim 50. Therefore, each of these

claims is distinguishable over the cited art for at least the same reasons as its parent claim.

Claims 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cooper in view of Zenith and further in view of Abecassis and Vong (as applied to claim 15) and DeWeese (U.S. Patent Application Publication No. 2005/0262542), and claims 28-35, and 57-66 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cooper in view of Zenith and further in view of Abecassis and Vong (as applied to claims 25 and 55) and further in view of DeWeese. Applicant submits that the claims are patentably distinguishable over the cited references.

Claims 17-20 depend from claim 1, claims 28-35 depend from claim 24, and claims 57-66 depend from claim 50. Therefore, each of claims 28-35 and 57-66 is distinguishable over the relied on sections of Cooper, Zenith, Abecassis, and Vong for at least the same reasons as the claim from which it depends.

The relied on sections of DeWeese do not remedy these deficiencies.

Accordingly, Applicant respectfully requests the withdrawal of the rejections under 35 U.S.C. § 103(a).

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: August 1, 2008

Respectfully submitted,

By 
Lawrence E. Russ
Registration No.: 35,342
LERNER, DAVID, LITTBENBERG,
KRMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

901334_1.DOC